

## REMARKS

Upon entry of the present amendment, claims 1-14 are pending in the instant application. Claims 7-10 have been amended to correct inadvertent typographical errors and to maintain antecedent basis throughout the claims. Accordingly, no new matter has been added the amendments presented herein.

### **Double Patenting**

Claims 1-14 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2 and 5-25 of copending U.S. Application No. 10/383,930 ("the '930 application").

Applicants submit herewith a terminal disclaimer over the '930 application. Accordingly, Applicants request that the Examiner withdraw this provisional double-patenting rejection.

### **Claim Rejections Under 35 U.S.C. § 112, Second Paragraph**

#### *Claims 8 and 10*

Claims 8 and 10 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In particular, the Examiner has indicated that "it is unclear if [claims 8 and 10] are drawn to the whole amino acid sequence X or a subsequence thereof." (Office Action, page 4).

In accordance with the Examiner's suggestion, claims 8 and 10 have been amended. Claim 8, as amended, recites compositions in which the catalytic domain comprises an amino acid sequence selected from the group consisting of SEQ ID NO: 24 and 25. In addition, amended claim 10 is directed to compositions in which the glucan binding domain comprises the amino acid sequence of SEQ ID NO: 23.

Applicants submit that amended claims 8 and 10 are clear and definite. As such, withdrawal of this rejection is requested.

#### *Claims 7 and 9*

Claims 7 and 9 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. According to the Examiner, "it is unclear if [claims 7 and 9] are drawn to the whole amino acid sequence X or a subsequence thereof." (Office Action, page 4).

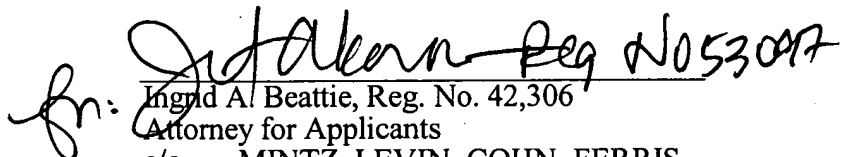
Claims 7 and 9 have been amended according to the Examiner's suggestions. In particular, claim 7 has been amended to recite compositions wherein the glucosyltransferase polypeptide comprises a catalytic domain selected from the group consisting of SEQ ID NO: 34, 35, 36, 37, 38, 39, and 40. As amended, claim 9 is directed to compositions wherein the glucosyltransferase polypeptide comprises a glucan binding domain selected from the group consisting of SEQ ID NO: 34, 35, 36, 37, 38, 39, and 40.

Thus, Applicants submit that claims 7 and 9, as amended, are clear and definite. Accordingly, Applicants request that this rejection be withdrawn.

### CONCLUSION

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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